

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: U S WEST COMMUNICATIONS, INC.	DOCKET NO. INU-00-2
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**ORDER REQUESTING RESPONSES
AND OPENING DOCKET**

(Issued February 10, 2000)

On January 28, 1997, the Utilities Board (Board) issued an order initiating an investigation relating to the possible future entry of U S WEST Communications, Inc. (U S WEST), into the interLATA market. The proceeding was preliminarily identified as Docket No. 47 U.S.C. § 271(d)(2)(B).

On June 24, 1997, the Board issued an order setting the procedure it intended to follow when U S WEST made a filing with the Board prior to making an Iowa § 271 application with the FCC.

U S WEST filed a § 271 application with the Board on January 31, 2000. The Board will open an investigation docket identified as Docket No. INU-00-2 to review the application. In addition to its application, U S WEST requested a schedule be set that would allow the Board to consider all aspects of the docket contemporaneous with the Regional Oversight Committee (ROC) operational support systems (OSS) test currently scheduled for completion in September 2000 and a modification of the

Board's June 24, 1997, order which required prefiled testimony and an adversarial hearing.

The Board seeks comment from other parties concerning the request by U S WEST that the Board conduct a series of workshops addressing each aspect of section 271 instead of the procedure previously set out, which included the filing of testimony, a hearing for the purpose of cross-examination, and post-hearing briefs. Additionally, the Board is interested in suggestions from other parties concerning the type of procedure to be followed in this investigation. In providing suggestions, the parties are asked to keep in mind the FCC has discretion to determine what weight to accord a state commission's verification and has indicated that it will give careful consideration to state determinations of fact that are supported by a detailed and extensive record. The FCC has indicated that full and open participation by all interested parties is essential to the success of a section 271 application.

In its assessment of each checklist item, the FCC first determines that there is a concrete and specific legal obligation to furnish the item upon request and that it is currently furnishing, or is ready to furnish, the checklist item. This obligation can be demonstrated by the identification of an interconnection agreement with a competing provider of telephone exchange service as described in § 271(c)(1)(A) or by a statement of generally available terms (SGAT). Second, for each checklist item, the FCC will determine whether sufficient evidence has been provided to demonstrate that the BOC is furnishing, or is ready to furnish, the item as a practical matter. The Board requests that parties also address U S WEST's intention to rely on an Iowa

SGAT to meet the first of the two-pronged test created by the FCC to determine whether each of the 14 items on the checklist has been met.

IT IS THEREFORE ORDERED:

1. Docket No. INU-00-2 is opened for the purpose of gathering the information necessary for the Utilities Board to provide a recommendation and a complete and reliable record to the Federal Communications Commission and the Department of Justice pursuant to 47 U.S.C. § 271(d)(2)(B) for their review.

2. On or before one week from issuance of this order, interested parties are urged to respond to the filing made by U S WEST Communications, Inc., on January 31, 2000, and to the matters discussed in the body of this order.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Judi K. Cooper
Executive Secretary, Deputy

/s/ Diane Munns

Dated at Des Moines, Iowa, this 10th day of February, 2000.